



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
**75 Hawthorne Street**  
**San Francisco, CA 94105**  
**March 7, 2019**

Mike Masnick  
Muck Rock News  
411 A Highland Ave, Dept MR 69592  
Somerville, MA 02144

Re: Freedom of Information Act (FOIA) Request No. EPA-R9-2019-003646

Dear Mr. Masnick:

Thank you for submitting the above-referenced FOIA request to the U.S. Environmental Protection Agency (EPA), which we received on February 21, 2019. You requested the following records:

Any emails or contracts discussing the use and/or licensing of the music from the Nintendo video game "Yoshi's Island" for the EPA online flash game found here:  
<https://www3.epa.gov/recyclecity/challenge/index.html>. The music file used is called "yoshidsunderground.mp3"

An extension of time is necessary for EPA to process your FOIA request pursuant to 40 C.F.R. § 2.104(d) due to the scope of your request and the unusual circumstances involved. The response to your request will require a significant amount of EPA's resources and time to search for and appropriately examine a large volume of records spanning several years and a legacy correspondence system.

EPA has initiated the coordination of and search for responsive records in our files. Because of the circumstances described above, it is difficult to predict with certainty how many records may be involved. Nonetheless, at this time, EPA estimates that it will be able to complete this request by April 19, 2019. We will be working diligently on your request, and if possible, we will provide the requested records on a rolling basis. If we can respond sooner, we will let you know.

Please confirm in writing within five (5) business days from the date of this letter that you agree with EPA's plan and timeframes for responding to your FOIA request. If we do not receive a response from you within this timeframe, we will assume you agree with EPA's plan and will proceed in responding to your FOIA request accordingly.

If you would like to modify or narrow your request so that it may be processed sooner, please contact me by email at [glenn.william@epa.gov](mailto:glenn.william@epa.gov) or phone at (415) 947-4254.

Additionally, you may seek assistance from EPA's FOIA Public Liaison at [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College

Park, MD 20740-6001; email: [ogis@nara.gov](mailto:ogis@nara.gov); telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wm Glenn", with a stylized flourish at the end.

William Glenn  
Acting Deputy Director  
Office of Public Affairs